

Serial No. 10/774,918
Docket No. LIE-001

PATENT APPLICATION

REMARKS/ARGUMENTS

This Amendment is being filed in response to the first Office Action on the merits dated May 16, 2006. Reconsideration and reexamination are respectfully requested in view of the foregoing amendments and the following remarks.

By the foregoing amendment, claims 15 to 17 have been cancelled, and claims 1, 3, 13 and 18 have been amended. Claims 1 to 14 and 18 to 20 remain pending in this application. Claim 13 was indicated by the Examiner as containing allowable subject matter, if rewritten into independent form.

Claim 13 has been rewritten into independent form for allowance, as suggested by the Examiner.

Claim 1 has been amended to incorporate a portion of the allowable subject matter from claim 13. As amended, claim 1 is distinguished from Haase because it recites, among other things, a unique structure of the support system legs and their attachment to the platform, which is neither taught nor suggested by Haase. Accordingly, it is respectfully submitted that claim 1, as well as claims 2 to 12 and 14, which depend upon claim 1, are now allowable over the prior art of record.

Claim 18 has been rewritten into independent form by incorporating original claims 15 to 17 into the claim. As amended, claim 18 recites a tool tray assembly having, among other things, a platform, a support system with first and second pairs of legs that are slidably adjustable to fit different sizes of vehicle tires, a first detachable socket tray for holding a first socket set, a second detachable socket tray for holding a second socket set, and a detachable parts tray for

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holding parts of a machine being worked on. The first and second detachable socket trays and the detachable parts tray are each attached to the platform by a structure that hooks over an upper edge of one of the upstanding walls of the platform and hangs therefrom. The arrangement of detachable socket trays, detachable parts tray, and support system with adjustable legs to fit different sizes of vehicle tires provides a unique tool tray assembly that is neither taught nor suggested by the prior art of record.

Claim 18 was rejected by the Examiner as allegedly being unpatentable over Haase in view of Irish, and further in view of Wridt. The Examiner explained this rejection by merely stating "see rejection arguments for claims 9 and 10 above." To the extent that this rejection might still be applied to claim 18 as amended, it is respectfully traversed for the following reasons.

Haase discloses an automobile tray device comprising a tray member 19, 20 supported by first and second pairs of support legs 23, 24. The tray device of Haase is specifically designed for mounting on the hump of an automobile floor above the automobile drive shaft. The tray device of Haase does not have any detachable socket trays or detachable parts trays hanging from the upstanding walls 20 thereof.

Irish discloses a ladder-mounted container designed for use on a top step of an A-frame ladder. Irish discloses in Figs. 7 to 9 that first and second auxiliary containers 160, 170 can be coupled to the upstanding walls of the container for holding additional items, such as tools, on the ladder.

Wridt discloses a metal socket tray having a flange on one side wall to facilitate hanging

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on an associated support, such as a tool chest.

It would not have been obvious to modify Haase by adding the auxiliary containers of Irish or the socket tray of Wridt, as proposed by the Examiner. Haase was designed for use in a confined area above the hump 15 of an automobile floor, which would have been considered unsuitable for hanging additional items on the sides of the tray that would have tended to interfere with the comfort and freedom of movement of the occupants of the automobile. Further, it can be seen in Fig. 2 of Haase that hanging additional items on the sides 20 of the tray device 17 would have tended to make the tray device unstable and prone to sliding off of the floor hump 15. Moreover, it is respectfully submitted that the combined teachings of Haase, Irish and Wridt do not teach or suggest a tool tray assembly having two detachable socket trays and a parts tray attached to a tool tray platform as claimed.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claim 18, as well as claims 19 and 20 which depend upon claim 18.

For at least the foregoing reasons, it is respectfully submitted that all of the pending claims in this application are now in condition for allowance. Early issuance of a Notice of Allowance for this application is respectfully requested.

The Examiner is encouraged to contact the Applicants' undersigned representative at the telephone number listed below if he has any comments or suggestions that could place this application into even better form.

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Respectfully submitted,

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